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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 Richi Orlando Briones,

Case No. 2:23-cv-00417-APG-DJA

7 Plaintiff,

Order

8 v.

9 Dr. Exum, et al.,

10 Defendants.

11 Plaintiff Richi Orlando Briones, through counsel, has moved the Court to issue
12 summonses for Defendants Benedicto Gutierrez and Dawn Jones and to extend the deadline to
13 serve Defendants Gutierrez, Jones, Adam Caldwell, and Mona Murdaugh. (ECF No. 54).
14 Plaintiff explains that the Attorney General's Office accepted service for Caldwell after the
15 service deadline (ECF No. 55), filed Gutierrez and Jones' last known addresses under seal (ECF
16 No. 47), accepted service for all other defendants before the deadline (ECF No. 46), and has not
17 yet been able to identify Murdaugh or provide her last known address under seal. Plaintiff adds
18 that the parties were engaged in settlement discussions, that counsel believed Gutierrez and Jones
19 were already served, and that the Attorney General's Office has not yet found the last known
20 address for Murdaugh. No party has responded to the motion, constituting their consent to the
21 Court granting it. *See* LR 7-2(d). And the Court finds that Plaintiff has shown good cause to
22 extend the service deadline. *See* Fed. R. Civ. P. 4(m). So, the Court grants Plaintiff's motion and
23 will order service on Gutierrez and Jones.

24 Plaintiff's counsel also moves to strike a notice that Plaintiff filed on his own behalf.
25 (ECF No. 60). The Court grants this motion because "once an attorney makes an appearance on
26 behalf of a party, that party may not personally file a document with the court; all filings must
27 thereafter be made by the attorney." LR IA 11-6(a).
28

1 **IT IS THEREFORE ORDERED** that Plaintiff's motion to issue summonses and extend
2 the deadline for service (ECF No. 54) is **granted**. Because the April 11, 2025, deadline that
3 Plaintiff requests has already passed, the Court *sua sponte* extends the service deadline for
4 Defendants Benedicto Gutierrez, Dawn Jones, Adam Caldwell, and Mona Murdaugh to **June 30,**
5 **2025**.

6 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to issue
7 summonses for the following defendants: (1) Benedicto Gutierrez; and (2) Dawn Jones.

8 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send the
9 following to the United States Marshal Service ("USMS") for service: (1) two copies of the first
10 amended complaint filed at ECF No. 45; (2) the summonses issued to Benedicto Gutierrez and
11 Dawn Jones; (3) a copy of the sealed document filed at ECF No. 47 containing Benedicto and
12 Gutierrez's last known addresses; and (4) a copy of this order.

13 **IT IS FURTHER ORDERED** that, on or before **May 30, 2025**, counsel for Plaintiff
14 must send the USMS one Form USM-285 for Gutierrez and one Form USM-285 for Jones, which
15 forms must reference the sealed document filed at ECF No. 47.¹

16 **IT IS FURTHER ORDERED** that, upon receipt of the items outlined above, the USMS
17 shall attempt service upon Gutierrez and Jones.

18 **IT IS FURTHER ORDERED** that Plaintiff's motion to strike (ECF No. 60) is **granted**.
19 The Clerk of Court is kindly directed to **strike** the document filed at ECF No. 59.

20
21 DATED: April 30, 2025

22
23 
24 _____
25 DANIEL J. ALBREGTS
26 UNITED STATES MAGISTRATE JUDGE

27 _____
28 ¹ These forms can be found online at <https://www.usmarshals.gov/resources/forms/usm-285-us-marshals-process-receipt-and-return>.